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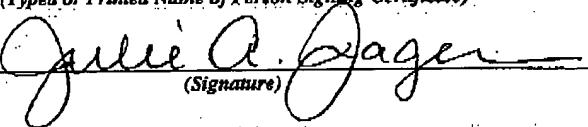
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PAGE 1/8 \* RCVD AT 8/11/2004 3:05:16 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/5 \* DNIS:8729306 \* CSID:3128278000 \* DURATION (mm:ss):02:14

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<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b> Applicant(s): Oba et al.				Docket No. 112857-265
Application No. 09/705,035	Filing Date November 2, 2000	Examiner J. Michalski	Group Art Unit 2644	
Invention: <b>PORTABLE AUDIO LISTENING APPARATUS</b>				
<p>I hereby certify that this <u>Transmittal Letter and Preliminary Amendment</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u> on <u>August 11, 2004</u> (Date)</p> <p style="text-align: right;">_____ Julie A. Jager (Typed or Printed Name of Person Signing Certificate)  (Signature)</p>				
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<b>TRANSMITTAL LETTER</b> (General - Patent Pending)	
Docket No. <b>112857-265</b>	

In Re Application Of: Oba et al.

Application No. <b>09/705,035</b>	Filing Date <b>November 2, 2000</b>	Examiner <b>J. Michalski</b>	Customer No. <b>29175</b>	Group Art Unit <b>2644</b>	Confirmation No. <b>6839</b>
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Title: **PORTABLE AUDIO LISTENING APPARATUS****COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

Preliminary Amendment (5 pgs.).

in the above identified application.

No additional fee is required.  
 A check in the amount of \_\_\_\_\_ is attached.  
 The Director is hereby authorized to charge and credit Deposit Account No. **02-1818**  
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 Charge the amount of \_\_\_\_\_  
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 Charge any additional fee required.

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*Signature*

Thomas C. Basso  
 Reg. No. 46,541  
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Dated: August 11, 2004

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450; Alexandria, VA 22313-1450.

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Applicant(s): Oba et al.  
Appl. No.: 09/705,035  
Conf. No.: 6839  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT**

Sir:

Please amend the above-identified patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.

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